

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

MARCH 30, 2004

On January 27, 2004, this Board unanimously approved my motion which asked the Department of Animal Care and Control, the Department of Regional Planning, and County Counsel to provide a report on the state and federal statutes regarding service animals and about ordinances from other cities and counties to determine how other local jurisdictions deal with the issue of classifying service dogs in the context of the number of dogs an individual is allowed to possess on one property.

Federal law prohibits public entities from discriminating against a disabled person. A public entity is required to modify its animal control policies to reasonably accommodate a qualified disabled person who requires the use of a service animal.

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MOTION

MOLINA	_____
BURKE	_____
YAROSLAVSKY	_____
ANTONOVICH	_____
KNABE	_____

Service animals provide a vital resource for individuals with a disability. Typically, not only do service animals improve the quality of life of a disabled person, the animals become part of the family. Therefore, this County needs to amend the current ordinance to allow service dogs to be exempt from the three dogs per residence limit. This exemption will only serve to provide the accommodation necessary for disabled individuals and shall not be interpreted to mean that an individual does not have to follow other ordinances and regulations in regards to proper maintenance and disposal of excrement, barking and noise, and proper containment of the dogs. In addition, this exemption should only apply to an officially licensed service dog that belongs to a qualified disabled person.

I, THEREFORE MOVE, that this Board direct County Counsel to amend the applicable County ordinances to exempt a dog which is currently acting as an official service dog to a qualified disabled person, from the three dogs per residence limit.

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MDA:jp